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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,184	04/19/2007	Takahiro Ogawa	F-2027US (133.0015)	4071
27997 7590 09/29/2010 PRIEST & GOLDSTEIN PLLC 5015 SOUTHPARK DRIVE SUITE 230 DURHAM, NC 27713-7736			EXAMINER HSIAO, JAMES K	
			ART UNIT 3657	PAPER NUMBER
			MAIL DATE 09/29/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/577,184	<b>Applicant(s)</b> OGAWA, TAKAHIRO	
	<b>Examiner</b> JAMES K. HSIAO	<b>Art Unit</b> 3657	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tani et al. (US6557949).

Regarding claim 1, Tani et al. discloses an anti-lock brake control device comprising a first brake control means (14A) which is arranged in a first brake system, a second brake control means (14C) which is arranged in a second brake system, and a control device (16) which controls the first brake control means and the second brake control means, wherein in a state that the first brake control means and the second brake control means are in an operating state and, at the same time, the first brake control means performs anti-lock brake control, a brake working liquid pressure which is transmitted to the second brake control means is intermittently pressurized by the control device (col. 5, lines 40-50).

Regarding claim 2, Tani et al. discloses wherein the braking working liquid is pressurized in a distributed manner (fig 3a).

Regarding claim 3, Tani et al. discloses wherein the intermittent pressurizing of the brake working liquid pressure is performed within a predetermined time in which at least the first brake control means performs the anti-lock brake control (fig 3a).

Regarding claim 4, Tani et al. discloses wherein wherein the anti-lock brake control device is provided with a liquid pressure unit(fig 2) which includes a control valve which is operated in response to a control signal from the control device (17, 18, 19,20) along with an operation of manipulation elements which are arranged in the first brake system and the second brake system, and the predetermined time is a time from a point of time that the anti-lock brake control is started to a point of time the speed difference between a vehicle body speed and a wheel speed of a wheel which is to be braked in the second brake system is set to a value below a predetermined speed difference (col. 5, lines 1-11).

Regarding claim 5, Tani et al. discloses; a first brake force applying means which applies a brake force to a first wheel (fig 1); a second brake force applying means which applies a brake force to a second wheel (fig 1); a first brake working liquid pressure path (TA) which transmits a brake working liquid pressure of a master cylinder which is increased or decreased by operating a manipulation element to the first brake force applying means (col. 3, lines 33-63); a second brake working liquid pressure path (TC) which transmits the brake working liquid pressure of the master cylinder to the second brake force applying means by operating the manipulating element (col. 4, lines 19-43); a first holding valve (5A) which is capable of opening and closing the first brake working liquid pressure path; a second holding valve (7A) which is capable of opening and

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closing the second brake working liquid pressure path; a first pressure reducing valve (5C) which is capable of opening and closing a communication path between the first brake force applying means and a reservoir of the master cylinder; a second pressure reducing valve (7C) which is capable of opening and closing a communication path between the second brake force applying means and the reservoir; a brake working liquid recovering means (8A) which returns the brake working liquid in the reservoir to the master cylinder after pressurizing the brake working liquid; and a control device (16) which controls operations of the first holding valve, the second holding valve, the first pressure reducing valve, the second pressure reducing valve and the brake working liquid recovering means, wherein during a period (fig 3a) in which an anti-lock brake control is applied to the first wheel or the second wheel, due to the control device, the second holding valve or the first holding valve which is provided to the brake working liquid pressure path for transmitting the brake working liquid pressure to the second wheel or the first wheel is intermittently opened and closed (col. 5, lines 40-50).

Regarding claims 6 and 7, see figure 1 for two wheeled vehicle and abs system.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pongo, Sakamoto, Terao, Kuwana, Yamaguchi, Nishikawa, Iwase, Hara, Nayakama, Matsuno, Tsuchida and Chen were all used during examination but were not relied upon for rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES K. HSIAO whose telephone number is

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(571)272-6259. The examiner can normally be reached on Monday through Friday 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bradley T King/  
Primary Examiner, Art Unit 3657

JKH